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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Piotr Cofa

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04/12/2005

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EXAMINER

VU, VIET DUY

ART UNIT

PAPER NUMBER

2154

DATE MAILED: 04/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/922,672

Applicant(s)

COFTA ET AL.

Examiner

Viet Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 November 2004.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-95 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-95 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

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**Art Rejections:**

1. The text of 35 USC 103(a) not cited here can be found in the previous office action.

2. Claims 1-40, 43-83 and 86-95 are rejected under 35 U.S.C. 103(a) as being unpatentable over Renaud et al, U.S. pat. No. 5,958,051.

Per claims 1-4, Renaud discloses a system and method for enabling secured data transmission between network and a data terminal comprising:

- a) initiating a terminal session with a browser by making a transmission to a server via a network (see col 14, lines 5-22),
- b) the server, in response to the terminal transmission request, provides information, e.g., site certificate, to the browser (col 14, lines 23-39),
- c) determining and displaying a level of trust based upon a standard comparison of one or more communication attributes for the transmission request, e.g., a warning whether the site has a valid trusted certificate, to enable the user to make informed decision whether to permit such data transmission from the server to the browser (see col 10, lines 25-62 and col 12, line 40 - col 13, line 45).

Renaud does not explicitly teach using specific communication link for specific data terminal, e.g., a mobile terminal. An official notice is taken that the use of any conventional communication link including wireless networks for enabling Internet data access is well known in the art.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to practice Renaud's invention with any known communication links and terminals including wireless network and mobile terminals because it would have enabled providing services to any types of users including mobile users (see col 5, lines 31-45).

Per claims 5-17, Renaud teaches that the security checking steps can be performed at the source/server or at the client/terminal (see col 9, lines 61-64).

Per claims 18-23, Renaud also teaches that the security checking steps include checking additional attributes to verify the reliability of a server offering the service (see col 12, lines 53-65).

Per claims 24, it is noted that Renaud's security checking does not depend on particular communication protocols used in processing the communication operation, i.e., any communication link can be used (see col 5, lines 31-45).

It is further noted that Renaud's teachings encompass limitations of claims 25-40.

Claims 43-83 and 92-95 are similar in scope as that of claims 1-40.

Per claims 86-91, it is noted that the use of key pair (public key and private key) issued by a third party authority for verifying a source file is well known in the art (see Renaud in col 2, lines 1-17).

Renaud does not explicitly teach maintaining a secret key at the server and transmitting a public key to the user terminal.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to realize such use of key pair in Renaud's verification step because it would have enabled the user terminal to securely verifying the source file and the site certificate (see Renaud in col 12, lines 53-65).

3. Claims 41-42 and 84-85 are rejected under 35 U.S.C. 103(a) as being unpatentable over Renaud et al, U.S. pat. No. 5,958,051 in view of Sullivan, U.S. pat. No. 5,953,528.

Renaud's teachings are still applied as discussed above. Renaud does not teach using numerical rating or graphical indicators to display the trust levels. Sullivan discloses using

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graphical indicators to display different trust levels (see Sullivan's col 6, lines 2-6).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize numerical rating or graphical indicators to display different trust levels in Renaud because it would have enabled users to more easily visualize different levels of trust associated with the web sites and/or data files.

**Response to Amendment:**

4. Applicant's arguments filed on 11/17/04 with respect to claims 1-95 have been fully considered but they are not found persuasive.

Applicant alleges that Renaud does not teach displaying a level of trust for informing the user of level of security associated with the communication operation if permitted by the user.

The examiner disagrees. Renaud clearly teaches displaying a warning message regarding a level of security associated with the request communication operation when the source server is determined to be an untrusted source or it has an invalid certificate (see col 13, lines 25-40). Renaud also teaches that the warning indicator is determined based upon a comparison with

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a security standard level set by the user (see col 12, lines 30-39). It is submitted that an "untrusted" or "unsecured" warning message is indicative of a level of trust.

Per claims 86 and 89, it is noted that the office action has been revised as set forth in item 2 above to address applicant's remarks.

**Conclusion:**

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Viet Vu whose telephone number is 571-272-3977. The examiner can normally be reached on Monday through Thursday from 8:00am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee, can be reached on 571-272-3964.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status

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information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



VIET D. VU  
PRIMARY EXAMINER

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4/8/05